

Serial No. 10/763,551
Docket No. NEC 03USFP936
Amendment B

REMARKS

The allowance of claims 3-6, 11-14 and 17-19 made by the Examiner is noted with thanks.

The specification has been amended to correct typographical errors. Claims 1 and 9 have been amended to clarify the invention, and to better define the invention over the prior art. No new matter has been added by the aforementioned changes.

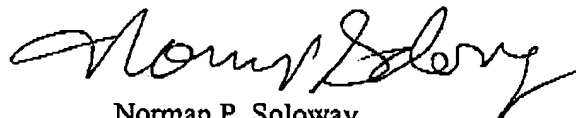
Turning to the art rejections, the rejection of claims 1, 2, and 9-10 under 35 USC §102(b) as being anticipated by Hutter et al (US Patent No. 6,033,946) is in error. Independent claims 1 and 9, as amended, require "said first, second and third regions are wells." Hutter et al. does not teach this element. In Hutter et al., the source-drain regions 48 are not wells. Thus, Hutter et al. cannot achieve nor render obvious independent claim 1 and 9.

Claims 2, and 10 depend directly or indirectly on claims 1, and 9 and are allowable for the same reasons as stated above, as well as for their own additional limitations.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Entry of the foregoing Amendment, and early and favorable action are respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



Norman P. Soloway
Attorney for Applicant
Reg. No. 24,315

HAYES SOLOWAY P.C.
130 W. CUSHING STREET
TUCSON, AZ 85701
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567

Serial No. 10/763,551
Docket No. NEC 03USFP936
Amendment B

CERTIFICATE OF TRANSMISSION VIA FACSIMILE

I hereby certify that this correspondence is being sent via facsimile to EXAMINER
ALLAN R. WILSON of the United States Patent and Trademark Office at facsimile number
(703) 872-9306, on June 7, 2005 from Tucson, Arizona.

By

Linda Vaubel

NPS/WPO:sb/lv

HAYES SOLOWAY P.C.
130 W. CUSHING STREET
TUCSON, AZ 85701
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567